

RESOLUTION NO. 96-44

A RESOLUTION OVERRULING OBJECTIONS AND PROCEEDING WITH
ABATEMENT BEFORE THE CITY COUNCIL OF THE CITY OF LODI
IN THE MATTER OF WEED ABATEMENT PROCEEDINGS

Overruling Objections and
Determining to Proceed with
Abatement

RESOLUTION No. 96-44

The City Council adopted Resolution No. 96-30 on April 3, 1996, which by its terms the Council elected to proceed under Government Code Sections 39501-39588 and did declare as a public nuisance all weeds growing upon streets, sidewalks and private property in the City and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the City; and

A public hearing was held on May 1, 1996 and no objections to the proposed removal of weeds, rubbish, refuse and dirt were made or presented either in writing or orally;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

(1) On April 3, 1996, the City Council elected to proceed under Government Code Sections 39501-39588 and did declare as a public nuisance all weeds growing upon the streets, sidewalks and private property in the City and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the City, all as more particularly described in Resolution No. 96-30, adopted April 3, 1996.

(2) The Council fixed May 1, 1996 at the hour of 7:00 o'clock p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, as the time and place for hearing all objections to the proposal of removal of weeds, rubbish, refuse and dirt, and the Director of Public Works was designated as the person to perform the duties imposed by Government Code Section 39560-39588 upon the Superintendent, and he did prepare notices to destroy weeds and remove rubbish, refuse and dirt and did in the time and manner prescribed by law cause copies of the notice to be conspicuously posted on or in front of the property where the nuisance exists; the City did mail written notice of the proposed abatement to all persons owning property described in Resolution No. 96-30 in the time, form and manner prescribed by law.

(3) The City Council did hold a public hearing on May 1, 1996, and no objections, either written or oral to the proposed removal of weeds, rubbish, refuse and dirt were presented and the hearing was closed on May 1, 1996.

(4) The Superintendent is ordered to abate the nuisance declared by Resolution No. 96-30 by having the weeds, rubbish, refuse and dirt removed and for this purpose, on those parcels shown on the attached exhibit (Exhibit A), the Superintendent may enter upon private property to abate the nuisance. Before the Superintendent arrives, any property owner may remove the weeds, rubbish, refuse and dirt at his/her own expense.

(5) The Superintendent or the contractor awarded the work, as the case may be, shall keep an account of the cost of abatement in front of or on each separate parcel of land where the work is done and shall submit to the Council for consideration, hearing of objections, modification and confirmation, an itemized written report showing this cost, all as more particularly prescribed by Government Code Section 39574.

Adopted by the City Council of the City of Lodi on May 1, 1996 by the following vote:

AYES: COUNCIL MEMBERS - Davenport, Mann, Pennino, Sieglock
and Warner (Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None


JENNIFER M. PERRIN
City Clerk